APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,732	06/12/2001	Gary Bee	089498-0402	4949

20583   7590   10/02/2002

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EXAMINER
JOHANNSEN, DIANA B

ART UNIT	PAPER NUMBER
1634	

DATE MAILED: 10/02/2002

/0

Please find below and/or attached an Office communication concerning this application or proceeding.

1.   The communication filed September 12, 2001 is not fully responsive to the Office

communication mailed July 12, 2001 for the reason(s) set forth on the attached Notice To

Comply With The Sequence Rules. Specifically, the Sequence Listing does not included all of

the sequences set forth in the application. See, e.g., Figure 6, which includes several sequences

comprising various polymorphisms, which sequences are not set forth in the Sequence Listing. It

is noted that a sequence search will be required during examination of the instant application.

Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825)

before the application can be examined under 35 U.S.C. §§ 131 and 132.

2.   The specification also fails to comply with one or more of the requirements of 37 CFR §

1.821 through 1.825 because the specification recites sequences that lack description by an

appropriate sequence identifier set forth in the "Sequence Listing" as required by 37 CFR §

1.821(d). See, for example, Figure 6. Appropriate corrections for compliance are required.

With particular reference to Figure 6, Applicant must either file a substitute Figure that recites

the appropriate sequence identifiers, or amend the brief description of the figures so as to set

forth said sequence identifiers. See MPEP 2422.02.

3.   Since the above-mentioned reply appears to be a *bona fide* attempt to comply with the

requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD

of **ONE (1) MONTH** from the mailing date of this communication within which to correct the

deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid

abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME

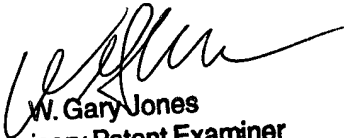PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

4.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Diana Johannsen whose telephone number is (703)305-0761. The

examiner can normally be reached on Monday-Friday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, W. Gary Jones, can be reached at (703) 308-1152. The fax phone number for the

Technology Center where this application or proceeding is assigned is (703) 305-3014 or 305-

4242.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 308-0196.

Diana B. Johannsen

October 1, 2002

W. Gary Jones
Supervisory Patent Examiner
Technology Center 1600

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

[X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).

[ ] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

[ ] 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

[ ] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

[ ] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

[ ] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

[X] 7. Other: __Incomplete Sequence Listing__

Applicant Must Provide:

[X] An initial or <u>substitute</u> computer readable form (CRF) copy of the "Sequence Listing".

[X] An initial or <u>substitute</u> paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

[X] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
PatentIn Software Program Support
  Technical Assistance..703-287-0200
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